

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, MARCH 13, 2002
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
19925 TWENTY-THREE MILE ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
MARIE E. MALBURG, TREASURER

TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
KENNETH MEERSCHAERT, JR.
CHARLES OLIVER

Also in attendance Lawrence Dloski, Township Attorney
James Van Tiflin, Spalding DeDecker & Associates
(Attendance record on file with Clerk.)

ABSENT: NONE

CALL MEETING TO ORDER

Supervisor BRENNAN called the meeting to order at 7:00 P.M.

1. ROLL CALL.

Clerk KOEHS called roll. All present

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA ITEMS.

Additions:

24a. Request to refer the Traditional Neighborhood Development Code to the Planning Commission for Amendments.

24b. Request to appoint Jim Gelios, Deputy Clerk, to the Building Authority Board.

Executive Session Item No.23, move to the end of the meeting after the Board Comments.

MOTION by DUNN seconded by MALBURG to approve agenda as amended.

MOTION carried.

4. APPROVAL OF BILLS.

MOTION by DUNN seconded by MALBURG to authorize payment of bills as submitted.

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, MARCH 13, 2002
AT 7:00 P.M.

MOTION carried.

5. APPROVAL OF MEETING MINUTES

MOTION by OLIVER seconded by DUNN to approve minutes of February 27, 2002 as presented.

MOTION carried.

6. Public Comments (Non Agenda items only – 3 minutes time limit)

Martin Piepenbrok, Parks and Recreation Director, presented the Board and audience with a rendering of the New Parks and Recreation Facility and stated that the design stage is 90% complete.

PUBLIC HEARING:

7. Request to Adopt Amended Resolution; Special Assessment District Street Lighting; Carleton Place Subdivision.

Public Hearing began at 7:04 p.m.

Supervisor BRENNAN reviewed the amended cost estimate submitted by Detroit Edison which stated the financial obligation of the developer.

Public Portion: None

Board discussion was held regarding the Developer's responsibility for the contribution costs.

MOTION by MALBURG seconded by BUCCI to close the public hearing at 7:06 p.m.

MOTION carried.

MOTION by OLIVER seconded by DUNN to move forward and adopt the Amended Resolution; Special Assessment District Street Lighting for Carleton Place Subdivision.

SAD, Street Lighting Carleton Place Subdivision

**AMENDED RESOLUTION ORDERING ESTABLISHMENT
OF STREET LIGHTING DISTRICT**

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on **March 13th, 2002**, at 7:00 P.M., Local Time.

PRESENT: Brennan, Koehs, Malburg, Bucci, Dunn, Meerschaert, Oliver.

ABSENT: None

The following preamble and resolution were offered by Member OLIVER and supported by Member DUNN.

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, MARCH 13, 2002
AT 7:00 P.M.

WHEREAS, pursuant to 1989 PA 80 (the "Act"), the Township Board is empowered to establish a Special Assessment for the installation and maintenance of street lighting on its motion or upon the submission of petitions as prescribed in the Act; and

WHEREAS, the Township Board of the Township of Macomb at its meeting held on June 27, 2001, adopted a resolution ordering establishment of the Carleton Place Subdivision street lighting district, together with certain charges including an installation charge of Forty Four Thousand, Five Hundred Thirty Nine and 23/100 (\$44,539.23) Dollars to be levied against the lots comprising the district; and

WHEREAS, the Township has been advised, subsequent, to adoption of the resolution ordering the establishment of the Carleton Place Subdivision street lighting district that the cost for installation of street lighting will exceed the amount previously approved by the Township; and

WHEREAS, the Township Board for the Township of Macomb has considered that additional installation cost to provide street lighting to the Carleton Place Subdivision; and

WHEREAS, the Township Board has determined that the installation of a street lights or lights illuminating street serving lands described in Exhibit "A" is necessary to preserve the public health, safety and welfare; and

WHEREAS, the Township Board desires to establish a Special Assessment District obligating the benefited owners to pay for the cost of installation and operation of street lighting; and

WHEREAS, a public hearing to consider increasing the installation cost to provide street lighting was held coincident with this meeting and was prefaced by published and mailed notice as required by the Act and 1962 PA 162.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1. It is hereby directed that a street light or lights shall be installed at Carleton Place Subdivision, which will illuminate streets, serving and benefiting the lot(s) and/or parcel(s) of land described in Exhibit "A".

2. A Special Assessment District consisting of the lot(s) and parcel(s) described in Exhibit "A" is hereby established and the cost for installation of said street lights(s) and all future electrical service be levied against the parcel(s) and/or lot(s) so described in direct proportion to the benefit conferred.

3. The initial installation shall equal the sum of \$47,171.44, together with the first annual electrical service charge in the amount of \$7,186.50, the Township's at-large contribution is \$-0-.

4. The Township Board shall hereafter annually determine the amount to be assessed in the district for lighting and shall direct the assessor to levy this amount. The assessment may be made either in a special assessment roll or in a column

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, MARCH 13, 2002
AT 7:00 P.M.

provided in the regular tax roll. The assessment shall be spread and become due and be collected at the same time as the other Township taxes are assessed, levied and collected and shall be returned in the same manner for nonpayment.

AYES: OLIVER, DUNN, BUCCI, MEERSCHAERT, MALBURG, KOEHS, BRENNAN.
NAYS: NONE
ABSENT: NONE

RESOLUTION DECLARED ADOPTED.

MICHAEL D. KOEHS
MACOMB TOWNSHIP CLERK

MOTION carried.

PLANNING COMMISSION:

8. Final Preliminary Plat; Castle Mar Subdivision (99 lots); Located north of 23 Mile Road and west of Card Road; Section 15. Marcast Development Corporation, Petitioner. Permanent Parcel No. 08-15-476-013.

Bernard Lynden, Planning Consultant, gave a brief description of the proposed subdivision and surround property. Mr. Lynden stated the recommendation of the Planning Commission to approve the plat contingent upon the fulfilling of the standard conditions and the posting of a landscape bond in the amount of \$30,000.00.

Petitioner Present: Sam Genna of Marcast Development

Public Portion: None

MOTION by DUNN seconded by OLIVER to grant the Final Preliminary Plat for Castle Mar Subdivision for a period of two (2) years to expire March 13, 2004, contingent upon the fulfilling of the standard conditions and the posting of a landscape bond in the amount of Thirty Thousand Dollars and 00/100 (\$30,000.00).

MOTION carried.

9. Request for Extension of Tentative Preliminary Plat; Strathmore Subdivision; Located on the east side of Luchtman Road and 1079 feet south of 26 Mile Road; L & C 26 Mile Road Properties, Inc., Petitioner. Permanent Parcel No. 08-04-100-030.

Mr. Bernard Lynden, Planning Consultant, reviewed the request and stated the recommendation of the Planning Commission to approve the extension to expire March 28, 2003.

Petitioner Present: Roy Curcuru

Public Portion: None

MOTION by DUNN seconded by MALBURG to grant the extension of time; Tentative Preliminary Plat for Strathmore Subdivision for one year to expire March 28, 2003 as requested.

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, MARCH 13, 2002
AT 7:00 P.M.

MOTION carried.

10. Request for Extension of Final Preliminary Plat; Lancaster Subdivision No.2; (65 lots); Located on the west side of Heydenreich Road and approximately 2100 feet north of 21 Mile Road; M & C Limited of Utica, Petitioner. Permanent Parcel No. 08-28-400-001.

Mr. Bernard Lynden, Planning Consultant, reviewed the request and stated the recommendation of the Planning Commission to approve the extension for one year to expire March 8, 2003.

Public Portion: None

MOTION by OLIVER seconded by MEERSCHAERT to grant the extension of time; Final Preliminary Plat for Lancaster Subdivision No.2 for one year (1) to expire March, 8, 2003.

MOTION carried.

11. Request for Extension of Final Preliminary Plat; Fieldstone Estates Subdivision No. 2 (77 lots); Located on the north side of 22 Mile Road and approximately 1300 feet east of Romeo Plank Road. Section 21. Fieldstone LLC, Petitioner. Permanent Parcel No. 08-21-400-001 and 08-21-326-002.

Mr. Bernard Lynden, Planning Consultant, reviewed the request and stated the recommendation of the Planning Commission to approve the extension for one year to expire April 12, 2003.

Petitioner Present: Jeff Allegoet

Public Portion: None

MOTION by DUNN seconded by MALBURG to grant the extension of time; Final Preliminary Plat for Fieldstone Estates Subdivision No. 2 for one (1) year to expire April 12, 2003.

MOTION carried.

12. Release of Landscape Bond; Sumpter Forest Subdivision; Located on the south west corner of 25 Mile Road and future Luchtman Road; Permanent Parcel No. 08-08-200-002.

Mr. Bernard Lynden, Planning Consultant, reviewed the request and stated the recommendation of the Planning Commission to approve the release of the landscape bond.

Public Portion: None

MOTION by MEERSCHAERT seconded by MALBURG to release the landscape bond for Sumpter Forest Subdivision in the amount of Thirty Thousand Dollars and 00/100 (\$30,000.00).

MOTION carried.

NEW BUSINESS:

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, MARCH 13, 2002
AT 7:00 P.M.

13. Amendment to Section 17-138 of the Land Division Regulations.

Larry Dloski, Township Attorney, reviewed the request and stated this amendment pertains to the minimum and maximum length of blocks and deleting the word generally from the language.

Public Portion: None

MOTION by MEERSCHAERT seconded by DUNN to authorize the Amendment to Section 17-138 of the Land Division Regulations.

MOTION carried.

14. Release of Subdivision Model Permit Bonds; Lakeside Landings Subdivision; Lots #48; Section 31. Progressive Design & Build Inc., Petitioner.

Supervisor BRENNAN stated the necessary Departments had reviewed the request and were recommending approval.

MOTION by DUNN seconded by MALBURG to authorize the release of the Subdivision Model Permit Bond for lot number 48; 16248 Angora Lane located within the Lakeside Landings Subdivision; Progressive Design & Build, Inc. in the amount of seven thousand five hundred dollars and 00/100 (\$7,500.00).

MOTION carried.

15. Release of Monuments and Irons Bond; English Gardens Estates Subdivision; Northern Macomb Development Company, Petitioner.

Supervisor BRENNAN stated that the necessary departments had reviewed the request and were recommending approval.

MOTION by DUNN seconded by BUCCI to authorize the release of the Monuments and Irons Bond for English Gardens Estates Subdivision in the amount of One Thousand Eight Hundred Dollars and 00/100 (\$1,800.00).

MOTION carried.

BUILDING DEPARTMENT:

16. Request for Plumbing Inspectors to attend the Plumbing Inspectors 2002 Spring Conference.

Supervisor BRENNAN reviewed the request and stated that Act 54 credits will be earned for this 3 day conference.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to authorize the attendance of George Ryan and Ken Borycz at the Plumbing Inspectors 2002 Spring Conference for the total cost of Six Hundred Thirty Six Dollars and 00/100 (\$636.00) plus meals and mileage.

MOTION carried.

FIRE DEPARTMENT:

17. Request to attend International Association of Fire Chief's Annual Conference.

Raymond Ahonen, Fire Chief, reviewed the request.

Public Portion: None

MOTION by DUNN seconded by OLIVER to grant the attendance of Chief Ahonen and Assistant Chief Meerschaert at the International Association of Fire Chief's Annual Conference for the quoted amount of Three Thousand Forty Eight Dollars and 76/100 (\$3,048.76) plus meals.

MOTION carried.

18. Request to purchase New Automatic External Defibrillators.

Raymond Ahonen, Fire Chief, reviewed the request and stated this purchase would be a great thing to best provide for our citizens.

Public Portion: None

Board discussion was held regarding the number of units in service and other facilities that may have defibrillators.

MOTION by DUNN seconded by MALBURG to authorize the trading of the four old defibrillators and purchase eight (8) new Automatic External Defibrillators from Medtronic Physio-Control for the total amount of Nineteen Thousand Five Hundred Twenty Four Dollars and 50/100 (\$19,524.50).

MOTION carried.

19. Submission of Feasibility Study Data for Third Fire Station.

Raymond Ahonen, Fire Chief, reviewed the study submitted to the Board, along with history of the Township's Fire Department. Chief Ahonen presented a recommendation of a location for the proposed third station based upon the study.

Supervisor BRENNAN expressed his support of the recommendation.

Public Portion: None

MOTION by DUNN seconded by MALBURG to approve the recommended site location of North Avenue for the proposed third Fire Station.

MOTION carried.

MOTION by OLIVER seconded by DUNN to proceed forward and authorize meetings being held regarding the design of the third station.

MOTION carried.

WATER/SEWER DEPARTMENT:

20. Approval of Sanitary Sewer Replacement Project, 23 Mile Road from Garfield to Romeo Plank Road.

David Koss, Water/Sewer Superintendent, reviewed the request and stated this was the first phase of the project to upgrade the sewer system from 24" pipes to 42" pipes on 23 Mile from Garfield to Romeo Plank Road.

Public Portion: None

Board discussion was held regarding the timeliness of the upgrade in correlation with road construction.

MOTION by OLIVER seconded by DUNN to move forward with the Sanitary Sewer Replacement Project, 23 Mile Road from Garfield to Romeo Plank Road.

MOTION carried.

21. Approval to purchase Monitoring Equipment.

David Koss, Water/Sewer Superintendent, reviewed the request and stated these permanent pressure locations are essential for operation with the new meter connection and facility with the City of Detroit.

Public Portion: None

MOTION by DUNN seconded by MALBURG to proceed and purchase the 4 Interlink DL units, installation of 4 phone lines and 4 pressure transducers for the total cost of Twelve Thousand Seven Hundred Eighty Dollars and 00/100 (\$12,780.00).

MOTION carried.

22. Approval of Purchase Requisition:
a. SLC Meter Service
b. Shelving, Inc.

David Koss, Water/Sewer Superintendent, reviewed the purchase requisitions and stated his recommendation to approve.

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, MARCH 13, 2002
AT 7:00 P.M.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to authorize the payment of the purchase requisition to SLC Meter Service for the total amount of Thirty One Thousand Six Hundred Thirty Eight Dollars and 00/100 (\$31,638.00).

MOTION carried.

MOTION by OLIVER seconded by MALBURG to authorize the payment of the purchase requisition to Shelving, Inc. for the total amount of Two Thousand Four Hundred Thirty Nine Dollars and 00/100 (\$2,439.00).

MOTION carried.

BOARD COMMENTS:

24. Supervisor's Comments

- a. Request to refer the Traditional Neighborhood Development Code to the Planning Commission for Amendments.

Supervisor BRENNAN reviewed the request and stated his recommendation to move forward with the amendments since there are developers who are ready to submit projects.

Public Portion: None

MOTION by DUNN seconded by MEERSCHAERT to refer the matter of the Traditional Neighborhood Development Code to the Planning Commission for Amendments.

MOTION carried.

- b. Request to appoint Jim Gelios, Deputy Clerk, to the Building Authority Board.

Supervisor BRENNAN reviewed the request and stated his support.

MOTION by MEERSCHAERT seconded by OLIVER to appoint Jim Gelios, Deputy Clerk, to fill the vacancy on the Building Authority Board.

MOTION carried.

25. Clerk's Comments

None

26. Treasurer's Comments

None

27. Trustee's Comments

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, MARCH 13, 2002
AT 7:00 P.M.

Trustee OLIVER inquired about the requiring of Street Lighting being part of the ordinance.

Larry Dloski, stated it should be addressed at the next board meeting.

MOTION by KOEHS seconded by MEERSCHAERT to adjourn into Executive Session at 7:47 p.m.

MOTION carried.

Meeting reconvened at 7:58 p.m.

EXECUTIVE SESSION:

23. Macomb v Benzel, et al

MOTION by DUNN seconded by OLIVER to reject the settlement offer presented.

MOTION carried.

ADJOURNMENT

MOTION by MEERSCHAERT seconded by MALBURG to adjourn the meeting at 7:59 P.M.

MOTION carried.

John D. Brennan, Supervisor

Michael D. Koehs, Clerk

Eva M. Mayer, Recording Secretary

EMM